

DEPARTMENT OF PUBLIC HEALTH
AND HUMAN SERVICES

CHAPTER 111

Subchapter 6

Work Camps

37.111.601 DEFINITIONS (1) The following definitions apply to this subchapter:

(a) "Contamination" means impairment or other alteration of the physical, chemical, or biological properties of water, including causing violation of the surface water quality standards contained in ARM Title 17, chapter 38, subchapter 6 or the maximum contaminant levels for public water supplies contained in ARM Title 17, chapter 38, subchapter 2, or otherwise creating a hazard to human health.

(b) "Lateral" means that portion of a water system or sewerage system which extends horizontally from the water or sewer main to the water or sewer riser pipe.

(c) "Potable water" means water which is safe for human consumption in terms of bacteriological and chemical quality.

(d) "Potentially hazardous food" means any perishable food that consists in whole or in part of milk products, eggs, meat, poultry, fish, shellfish, edible crustacea, or other ingredients, including synthetic ingredients, in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms. The term does not include clean, whole, uncracked, odor-free shell eggs or foods which have a pH level of 4.6 or below or a water activity (aW) value of 0.85 or less.

(e) "Public water supply system" means any installation or structure that provides water for human consumption and services 10 or more families or 25 or more persons at least 60 days out of the calendar year.

(f) "Sanitary station" means a facility used for removing and disposing of wastes from trailer holding tanks.

(g) "Self-contained trailer" means a trailer which can operate independently of connections to sewer, water, and electric systems. It contains a water-flushed toilet and lavatory, shower, and kitchen sink, any or all of which are connected to water storage and sewage holding tanks located within the trailer.

(h) "Sewer line connection" means the connection consisting of all pipes, fittings, and appurtenances from the drain outlet of the trailer to the inlet of the corresponding sewer riser pipe of the sewage system serving the work camp.

(i) "Sewer riser pipe" means that portion of the sewer system which extends vertically to the ground elevation and terminates at each trailer space.

(j) "State waters" means any body of water, irrigation system, or drainage system, either surface or underground.

(k) "Stop-and-waste valve" means any unit that permits the outlet valve to be drained through a port or drain hole provided in the valve.

(l) "Trailer space" means that part of a work camp designated for the placement of a single trailer and the exclusive use of its occupants.

(m) "Water service connection" means the connection consisting of all pipes, fittings, and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within the trailer.

(n) "Water riser pipe" means that portion of the water system which extends vertically to the ground elevation and terminates at a designated point at each trailer space.

(o) "Water station" means a facility for supplying potable water to the water storage tanks of trailers and other potable water containers.

(2) The department hereby adopts and incorporates by reference the provisions of ARM Title 17, chapter 30, subchapter 6 and Title 17, chapter 38, subchapter 2, which establish, respectively, maximum contaminant levels for public water supplies and surface water quality standards. Copies of ARM Title 17, chapter 30, subchapter 6 and Title 17, chapter 38, subchapter 2 may be obtained from the Department of Public Health and Human Services, Health Policy and Services Division, Food and Consumer Safety Section, 1400 Broadway, P.O. Box 202951, Helena, Montana 59620-2951. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, MCA; NEW, 1985 MAR p. 934, Eff. 7/12/85; TRANS, from DHES, 2001 MAR p. 2425.)

Rules 02 and 03 reserved

37.111.604 LAYOUT PLAN REVIEW (1) Scaled layout plans and specifications for a proposed work camp, or any alteration or enlargement of an existing work camp, must be prepared and submitted to the department and the local health officer for approval prior to the camp's establishment, alteration, or enlargement.

(2) The use of an existing water supply and distribution system, and sewage collection and disposal system, in a proposed work camp may be approved only if it can be shown that the existing system meets or exceeds the relevant standards in ARM 37.111.615 or 37.111.616.

(3) Approval to establish, alter, or enlarge a work camp lasts 2 years from the date written approval is issued by the department and local health officer; if construction has not begun during the 2 year period, plans and specifications must again be submitted for re-evaluation and approval before the work camp may be established, altered, or enlarged.

(4) Conversion of a work camp to a trailer court, campground, or any other establishment required by law to be licensed by the department must have prior approval by the department and the local health officer and be separately licensed for the type of establishment the conversion constitutes.

(5) Approval of plans or licensure for compliance with this subchapter does not relieve the work camp of the need to obtain any other permit otherwise required by law or regulation, and the inspections which may be incidental thereto, e.g., a building permit, a plumbing permit, or an electrical permit. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, MCA; NEW, 1985 MAR p. 934, Eff. 7/12/85; TRANS, from DHES, 2001 MAR p. 2425.)

37.111.605 SHELTER, STRUCTURAL AND MAINTENANCE REQUIREMENTS

(1) A work camp must meet the following structural and maintenance requirements in regard to any shelter it provides for work camp residents:

- (a) All rooms and hallways must be provided with at least 10 footcandles of light.
- (b) Floors and walls of rooms subject to large amounts of moisture must be smooth and non-absorbent.
- (c) Floor and wall-mounted furnishings must be easily moved or mounted in such a way as to allow for easy cleaning.
- (d) Toilet and handwashing facilities must be provided and kept clean.
- (e) The floors, walls, ceilings, furnishings, and equipment must be kept in good repair, free of hazards, and clean.
- (f) The temperature of water for handwashing and bathing must be limited to 120°F or below.
- (g) Bathing facilities must be provided with anti-slip surfaces.
- (h) Cleaning equipment and supplies must be provided and accessible to residents in sufficient quantity to meet the housekeeping needs of the facility.
- (i) Before a new resident moves into living quarters which were previously occupied, the quarters must be thoroughly cleaned and any necessary repairs to them must be made.
- (j) If laundry service is provided by the work camp, the requirements of ARM 37.111.121 must be met.
- (k) If housekeeping service is provided by the work camp, the requirements of ARM 37.111.122 must be met.

(2) The department hereby adopts and incorporates by reference ARM 37.111.121, which sets equipment and operation requirements for laundries, and ARM 37.111.122, which sets housekeeping and maintenance standards for public accommodations. Copies of ARM 37.111.121 and 37.111.122 may be obtained from the Department of Public Health and Human Services, Health Policy and Services Division, Food and Consumer Safety Section, 1400 Broadway, P.O. Box 202951, Helena, Montana 59620-2951. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, MCA; NEW, 1985 MAR p. 934, Eff. 7/12/85; TRANS, from DHES, 2001 MAR p. 2425.)

Rules 06 through 14 reserved

37.111.615 WATER SUPPLY SYSTEM (1) In order to ensure an adequate and potable supply of water, a work camp must either:

- (a) connect to a water supply system meeting the requirements of Title 17, chapter 38, subchapters 1, 2, and 5 of the Administrative Rules of Montana; or
- (b) if the work camp utilizes a water system with no more than 9 service connections or is utilized by no more than 24 persons or no more than 9 families daily during all but 59 or fewer days out of the calendar year, including guests, staff, and residents; and an adequate public water supply system is not accessible; utilize a non-public water supply system whose construction and use meet those standards set in department of environmental quality circular #84-11, except that if it is not feasible to develop a permanent water supply due to the temporary or transient nature of the work camp, a temporary water supply may be utilized which is constructed and operated in

accordance with one of the following department circulars:

- (i) Circular #11 for springs
- (ii) Circular #17 for cisterns.

(2) A non-public water supply system other than one meeting the standards in circulars #11, #17, or #84-11 may be utilized only if it is designed by an engineer registered in Montana and, to the satisfaction of the department and local health officer, offers sanitary protection equivalent to that provided by those circulars.

(3) If a work camp uses a non-public water supply system, it must submit a water sample from that water supply system at least quarterly to a laboratory licensed by the department of public health and human services to perform microbiological analysis of water supplies, in order to determine that the water does not exceed the maximum microbiological contaminant levels stated in ARM 17.38.207.

(4) A work camp must replace or repair the water supply system serving it whenever the water supply:

- (a) contains microbiological contaminants in excess of the maximum levels cited in ARM 17.38.207; or

- (b) does not have the capacity to provide adequate water for drinking, cooking, personal hygiene, laundry, and water-carried waste disposal.

(5) Any extension, alteration, repair, or replacement of a water distribution system, or development of a new water supply system, must be in accordance with the standards set forth in this rule.

(6) Unless each living unit in the work camp is provided with an individual water service connection, the work camp must provide a common water station which:

- (a) consists of at least a water hydrant;

- (b) is protected against backflow and hose contamination; and

- (c) is located so that the use of the hose for sewage holding tank flushing is impossible.

(7) If facilities for individual water service connections to trailers are provided, they must meet the following requirements:

- (a) Water riser pipes provided for individual water service connections must:

- (i) be so located, constructed, and protected (for example, by posts, fences, or other permanent barriers) that they will not be damaged by the parking of trailers or vehicles; and

- (ii) extend at least 4 inches above ground elevation and be at least 3/4 of an inch in diameter.

- (b) Measures must be taken which are adequate to prevent freezing of service lines, valves, and riser pipes.

- (c) Where water risers are provided for irrigation use, a "backflow preventer" must be installed in the water service line at or near the outlet.

- (d) A stop-and-waste valve and cock may be installed in an underground water service line only if:

- (i) the stop-and-waste valve is located a minimum of two feet above the level of the water table and in soil providing good drainage.

- (ii) at least 10 feet of horizontal distance exists between a sewer line connection and the stop-and-waste valve.

- (e) Valves must be provided for the outlet of each water service connection and

must be turned off and the outlets capped or plugged when the latter are not in use.

(8) A water service lateral must be constructed as follows:

(a) Pipe used for a water service lateral must be either copper, 160 psi-rated plastic approved for potable water supply use, or an equivalent.

(b) Inside pipe diameter must be a minimum of 3/4 of an inch.

(c) The lateral must be laid at least 10 feet horizontally from any existing or proposed sewer unless:

(i) it is laid in a separate trench or an undisturbed earth shelf located on one side of the sewer, in either case at such an elevation that the bottom of the water service lateral is at least 12 inches above the top of the sewer; or

(ii) the sewer is constructed of schedule 40 PVC, schedule 40 ABS, or standard weight cast iron pipe tested for leakage in accordance with ARM 37.111.616, in which case the lateral may be laid without regard to vertical separation from the sewer.

(d) A lateral constructed less than 10 feet from a sewer must be kept to one side of the sewer, with crossings minimized.

(e) A lateral crossing a sewer line must be laid to provide a minimum vertical distance of 12 inches between the bottom of the lateral and the top of the sewer line, unless a single length of schedule 40 PVC, schedule 40 ABS, or standard weight cast iron pipe tested for leakage in accordance with ARM 37.111.616 is centered on the crossing, in which case the pipe may be laid without regard to vertical separation.

(9) The department hereby adopts and incorporates by reference:

(a) Title 17, chapter 38, subchapters 1, 2, and 5 of the Administrative Rules of Montana which, respectively, set standards protecting the bacteriological, chemical, and radiological quality of public drinking water supplies; protect water hauled for cisterns from contamination, and require preconstruction review and set construction standards for water and sewer systems.

(b) ARM 17.38.207, stating maximum microbiological contaminant levels for public water supplies; and

(c) the following department of environmental quality publications setting construction, operation, and maintenance standards for springs, wells, and cisterns, respectively:

(i) Department of environmental quality circular #11, "Springs"

(ii) Department of environmental quality circular #84-11, "Minimum Design Standards for Small Water Systems"

(iii) Department of environmental quality circular #17, "Cisterns for Water Supplies".

Copies of ARM Title 17, chapter 38, subchapters 1, 2, or 5; ARM 17.38.207; or circulars #11, #84-11 or #17 may be obtained from the Department of Public Health and Human Services, Food and Consumer Safety Section, 1400 Broadway, P.O. Box 202951, Helena, Montana 59620-2951. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, MCA; NEW, 1985 MAR p. 934, Eff. 7/12/85; TRANS, from DHES, 2001 MAR p. 2425.)

37.111.616 SEWAGE TREATMENT AND DISPOSAL (1) In order to ensure sewage is completely and safely disposed of, a work camp must:

(a) connect to a public sewage system meeting the requirements of Title 17, chapter 38, subchapter 1 of the Administrative Rules of Montana; or

(b) if the work camp is utilized by no more than 24 persons or no more than 9 families daily during all except 59 or fewer days of the calendar year, including day workers and residents; and an adequate public sewage system is not available; utilize a non-public system which meets the construction and operation standards contained in either of department of environmental quality circulars #84-10 or #13 or which is designed by an engineer registered in Montana and, to the satisfaction of the department and local health officer, offers sanitary protection equivalent to those circulars.

(2) Liquid wastes from sinks, showers, or baths may not be allowed to accumulate on the ground surface and must be discharged into the sewage treatment and disposal system serving the work camp or into an alternate system approved by the department and local health officer.

(3) A sewage treatment and disposal system must be replaced or repaired if any of the following conditions occur:

(a) The system refuses to accept sewage effluent at the rate of application.

(b) Sewage effluent seeps from, or ponds on or around, the system.

(c) Effluent from the sewage treatment and disposal system contaminates a potable water supply or state waters.

(d) The sewage system is subjected to mechanical failure, including electrical outage or collapse or breakage of a septic tank, lead line, or drainfield line.

(4) An extension, alteration, or replacement of any sewage treatment and disposal system must be made in accordance with the standards set forth in this rule.

(5) Any sewer service lateral must be constructed as follows:

(a) the lateral must be water tight at all points and tested for that quality by filling with water, by another equivalent test, or, in the case of a lateral which is required by ARM 37.111.615 to be constructed of schedule 40 PVC, schedule ABS, or standard weight case iron pipe, by testing under pressure of at least a 10-foot head of water for a minimum of 15 minutes, or other equivalent test.

(b) Pipe size must be a minimum of 4 inches in diameter.

(c) The lateral must be sloped to maintain a 2-foot per second flow velocity (1.2% slope for 4-inch line).

(6) If facilities for individual sewer connections to trailers are provided, they must meet the following requirements:

(a) The sewer riser pipe must:

(i) have a 4-inch diameter;

(ii) be so located on the trailer space that a sewer connection to the trailer drain outlet will approximate a vertical position; and

(iii) be separated from the water riser by at least 6 feet at finished grade.

(b) Surface drainage must be diverted away from the riser.

(c) Provisions must be made for plugging or capping the sewer riser pipe with a tamper resistant cap having an air tight seal whenever a trailer does not occupy the space.

(7) A sewer connection between a trailer and a sewer riser must:

- (a) have a nominal inside diameter of at least 3 inches;
- (b) be sloped at least 1/4 inch per foot;
- (c) consist of one line only, without any branch fitting;
- (d) have watertight joints;

(e) be constructed of corrosion resistant, non-absorbent, durable material with a smooth inner surface, except that flex hose may be used for making a sewer connection whenever the connection will be made for 14 days or less.

(8) A work camp which provides trailer space for self-contained trailers must also provide one sanitary station meeting the standards in (9) below for every 100 trailer spaces, or fraction thereof, which lack individual sewer risers, except in the following cases:

(a) Whenever a sanitary station is available for public use on a full-time basis within a reasonable distance from the work camp.

(b) Whenever installation of a sanitary station is not feasible due to lack of electricity, water under pressure, or other similar considerations beyond the control of the work camp operator.

(9) A sanitary station must have:

(a) a sewer riser pipe at least four inches in diameter which is:

(i) connected to the work camp sewage system;

(ii) surrounded at the inlet end by a concrete apron at least four feet square sloped to the drain;

(iii) provided with a self-closing hinged cover.

(b) a water outlet equipped with anti-back-siphoning devices and connected to the work camp water supply system to permit periodic washdown of the immediately adjacent area; and

(c) a sign stating that the water is unsafe for drinking.

(10) If any living units are not provided with individual toilet facilities, central toilet facilities must be located within 300 feet of all sleeping quarters lacking such individual toilets and provided in the ratio of one toilet for every 10 persons or fraction thereof needing them.

(11) The department hereby adopts and incorporates by reference Title 17, chapter 38, subchapter 1 of the Administrative Rules of Montana, which sets construction standards for sewage systems; and the following department publications setting construction and operation standards for specific types of sewage systems:

(a) Department of environmental quality circular #84-10, "Sewers and Sewage Treatment for Multi-Family and Non-Residential Buildings";

(b) Department of environmental quality circular #13, "The Sanitary Pit Privy". Copies of ARM Title 17, chapter 38, subchapter 1, and circulars #84-10 and #13 may be obtained from the Department of Public Health and Human Services, Health Policy and Services Division, Food and Consumer Safety Section, 1400 Broadway, P.O. Box 202951, Helena, Montana 59620-2951. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102,

MCA; NEW, 1985 MAR p. 934, Eff. 7/12/85; TRANS, from DHES, 2001 MAR p. 2425.)

37.111.617 SOLID WASTE In order to ensure that solid waste is safely stored and disposed of, a work camp must:

- (1) Store all solid waste between collections in containers which have lids and are corrosion-resistant, flytight, watertight, and rodent-proof;
- (2) Locate solid waste containers within 150 feet of all sleeping quarters;
- (3) Clean all solid waste containers frequently;
- (4) Keep the containers in exterior collection stands which prevent the containers from being tipped, protect them from deterioration, and allow easy cleaning below and around them; and

(5) Transport the solid waste at least weekly to a licensed landfill site, either by utilizing a private or municipal hauler or by otherwise transporting the waste in a covered vehicle or covered containers. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, MCA; NEW, 1985 MAR p. 934, Eff. 7/12/85; TRANS, from DHES, 2001 MAR p. 2425.)

37.111.618 FOOD SERVICE (1) Whenever food is prepared by the work camp for service to work camp residents, the following requirements apply:

- (a) Food must be:
 - (i) free from spoilage, filth, or other contamination;
 - (ii) obtained from sources that comply with all federal and state law applicable to the source relating to food and food labeling;
 - (iii) at all times, including while being stored, prepared, displayed, served, or transported, protected from potential contamination, such as dust, insects, rodents, unclean equipment and utensils, unnecessary handling, coughs and sneezes, flooding, drainage, and drips from overhead condensation.
 - (iv) thoroughly washed and/or cooked as necessary to destroy disease-causing microorganisms.

- (b) A potentially hazardous food must:
 - (i) be maintained at 45°F or below, or 140°F or above;
 - (ii) when thawed after being frozen, be thawed either at 45°F or below, by quick-thawing during the cooking process, or by an equivalent method approved by the department.

(c) No food may be served which has been stored in an hermetically sealed container unless the container was prepared in a licensed food processing establishment.

(d) If food or food utensils are transported from the kitchen to an area not immediately contiguous to the kitchen, the food and utensils must, during transportation, be kept in covered containers or completely wrapped or packaged so as to be protected from contamination.

(e) No person who is either infected with a communicable disease in a form that can be transmitted by foods; a carrier of organisms that cause such a disease; or afflicted with

a boil, an infected wound, diarrhea, acute gastro-intestinal illness, or an acute respiratory infection may work in a kitchen in any capacity in which there is a likelihood of that person contaminating food or food contact surfaces with pathogenic organisms or transmitting disease to other persons.

(f) Kitchen workers must maintain a high degree of personal cleanliness and conform to good hygienic practices.

(g) Food preparation, storage, and serving equipment and utensils must:

(i) not impart odors, color, or taste to food nor contribute to its contamination;

(ii) be thoroughly cleaned after each usage;

(iii) be constructed, repaired, and finished with non-toxic materials, resistant to corrosion, smooth, and, if multi-use, easily cleanable, non-absorbent, and durable under conditions of normal use;

(iv) when cleaned and sanitized, or if single-service, be handled and stored in a way that protects them from contamination.

(h) Facilities must be provided which are adequate for washing and sanitizing all multi-use utensils used for preparing, serving, and storing food.

(i) Kitchen floors, walls, ceilings, equipment, and storage areas must be smooth, non-absorbent, easily cleanable, and kept clean and in good repair.

(2) Individual or family use kitchens provided by the work camp must be equipped with at least the following:

(a) Facilities to wash utensils and cooking equipment.

(b) Refrigeration equipment capable of maintaining foods at or below 45°F.

(c) Cooking facilities.

(d) Adequate space to store and prepare food. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, MCA; NEW, 1985 MAR p. 934, Eff. 7/12/85; TRANS, from DHES, 2001 MAR p. 2425.)

Rules 19 and 20 reserved

37.111.621 INSECT, RODENT AND WEED CONTROL The operator of the work camp must ensure that:

(1) Camp buildings and other structures are kept free, to the extent possible, of harborage for, and infestations of, insects and rodents.

(2) Any extermination or control measures involving insecticides, rodenticides, or herbicides strictly conform to the manufacturer's application instructions.

(3) The growth of brush, weeds, grass, and other plants is controlled within central camp areas to the extent necessary to eliminate harborage for ticks, chiggers, and similar insects of danger to public health.

(4) Ragweed, poison ivy, poison oak, poison sumac, and other similarly noxious plants do not grow on camp property within the area customarily frequented by humans. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, MCA; NEW, 1985 MAR p. 934, Eff. 7/12/85; TRANS, from DHES, 2001 MAR p. 2425.)

37.111.622 ABANDONMENT OF WORK CAMP (1) Whenever operation of a work camp is permanently discontinued, and in order to prevent injury to health or environmental

damage, all septic tanks, privy vaults, and cisterns must be removed, or emptied and subsequently filled with solid materials. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, MCA; NEW, 1985 MAR p. 934, Eff. 7/12/85; TRANS, from DHES, 2001 MAR p. 2425.)

37.111.623 INSPECTIONS (1) A local health officer, or a sanitarian or sanitarian-in-training employed by or contracted with the local board of health, must conduct an inspection of each work camp within the jurisdiction of the local board of health at least once every 12 months, unless that schedule is modified by signed agreement with the department.

(2) The local health officer, local health department sanitarian or sanitarian-in-training, or an authorized representative of the department must be permitted to inspect any work camp at a reasonable time for the purpose of determining compliance with this subchapter and to examine the records relating to the work camp in order to assist in that determination.

(3) Whenever an inspection of a work camp is made, the findings must be recorded on a form approved by the department, retained by the local health officer, and furnished to the department upon request.

(4) The inspection form must specify a reasonable period of time for the correction of any violations found, and the work camp must correct the violations within the period specified.

(5) The inspection form shall state that failure to comply with any time limits for corrections may result in an order to cease operations. (History: Sec. 50-52-102, 50-52-301 and 50-52-302, MCA; IMP, Sec. 50-52-301, 50-52-302 and 50-52-303, MCA; NEW, 1994 MAR p. 2941, Eff. 11/11/94; TRANS, from DHES, 2001 MAR p. 2425.)

37.111.624 MINIMUM PERFORMANCE REQUIREMENTS FOR LOCAL REGULATORY AUTHORITIES (1) To qualify for reimbursement under 50-52-302, MCA, the local board of health must either enter into a written, signed cooperative agreement with the department that establishes the duties and responsibilities of the local board of health and the department consistent with this subchapter, or meet each of the following requirements:

(a) Each work camp within the jurisdiction of the local board of health is inspected at least once every 12 months, or on the schedule specified in a signed agreement with the department.

(b) Quarterly inspection reports are submitted to the department within 10 days following the close of each quarter of the fiscal year (1st quarter--September 30; 2nd quarter--December 31; 3rd quarter--March 31; 4th quarter--June 30) on forms approved by the department.

(c) All documentation of enforcement of this subchapter, including but not limited to inspection reports, consumer complaints, illness investigations, plans of correction, and

enforcement actions, is retained for 5 years and copies of the documentation are submitted or otherwise made available to the department upon request.

(2) A failure by the local board of health to meet all of its responsibilities under the cooperative agreement or under (1)(a) through (d) above shall result in the withholding of funds from the local board reimbursement fund in an amount to be determined by the department. (History: Sec. 50-52-302, MCA; IMP, Sec. 50-52-302, MCA; NEW, 1994 MAR p. 2941, Eff. 11/11/94; TRANS, from DHES, 2001 MAR p. 2425.)